DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS

HOWARD COUNTY MARYLAND

WATER SHALL NOT BE PLACED INTO THE POOL UNTIL A FINAL BUILDING INSPECTION IS APPROVED

THE FINAL INSPECTION WILL NOT BE APPROVED UNTIL ALL REQUIRED SWIMMING POOL SAFETY DEVICES ARE INSTALLED AND FULLY OPERATIONAL

All Swimming Pools are required to have an Electrical Permit by a Licensed Electrician

Gas Fired Pool Heaters

☐ NO ☐ YES - Plumbing Permit required by a Licensed Plumber / Gas Fitter

DECLARATION OF INTENT TO INSTALL SWIMMING POOL SAFETY DEVICES

Date_____ Building Permit #_____ Address_____

The undersigned, being the owner(s) of the above referenced property, hereby accept(s) the responsibility for the installation of an approved fence and safety devices required by Section 3109 of the 2018 Edition of the International Building Code. **I (We) agree that the approved minimum 48" high fence and approved safety devices shall be installed prior to the placement of any water in the pool** and that fences shall comply with the setback requirements of the Department of Planning and Zoning.

_____ _____

Owner(s) Address

_____ _____

Witness Address

Please call the Plan Review Division (Department of Inspections, Licenses and Permits) at 410-313-2436 for information regarding the fence design or safety devices. For information regarding fence setback requirements, please call the Zoning Administration (Department of Planning and Zoning) at 410-313-2393. Copy of Section 3109 of The International Building Code is on reverse side for your information.

2018 INTERNATIONAL RESIDENTIAL CODE SECTION R326

AND INTERNATIONAL BUILDING CODE SECTION 3109 BARRIER REQUIREMENTS

3109.1 General. Swimming pools shall comply with the requirements of Sections 3109.2 through 3109.5 and other applicable requirements of the code.

3109.3 Public swimming pools. Public swimming pools shall be completely enclosed by a fence not less than 4 feet (1290 mm) in height or a screen enclosure. Openings in the fence shall not *permit* the passage of a 4-inch-diameter (102mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

3109.4 Residential swimming pools. Residential swimming pools shall be completely enclosed by a barrier complying with Sections 3109.4.1 through 3109.4.3.

> **Exception:** A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346 need not comply with this section.

3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102mm).

3109.4.1.1 Openings. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3109.4.1.2 Solid barrier surfaces. Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

3109.4.1.3 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall be not greater than 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width.

3109.4.1.4 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall be not greater than 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width.

3109.4.1.5 Chain link dimension. Mesh size for chain link fences shall be not greater than a 2¼ inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom that reduce the opening to not more than 1¾ inches (44 mm).

3109.4.1.6 Diagonal members. Where the barrier is composed of diagonal members, the opening formed by the diagonal members shall be not greater than 1¾ inches (44 mm).

3109.4.1.7 Gates. Access doors or gates shall comply with the requirements of Section 3109.4.1.1through 3109.4.1.6, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Doors or gates other than pedestrian access doors or gates shall have a self-latching device. Release mechanisms shall be in accordance with Sections 1010.1.9 and 1109.13. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the door or gate, the release mechanism shall be located on the pool side of the door or gate 3 inches (76 mm) or more, below the top of the door or gate, and the door or gate and barrier shall be without opening larger than ½ inch (13 mm) within 18 inches (457 mm) of the release mechanism.

3109.4.1.8 Dwelling wall as a barrier. Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. In dwellings not required to be *Accessible units*, *Type A units* or *Type B units*, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be *Accessible units*, *Type A units* or *Type B units*, the deactivation switch shall be located no higher than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the threshold of the door.

2. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or

3. Other means of protection, such as self-closing doors with self-latching devices, which are approved, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 1 or 2 described above.

3109.4.1.9 Pool Structures as Barriers. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirement of Section 3109.4.1.1 through 3109.4.1.8. Where the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4 – inch diameter (102 mm) sphere.

3109.4.2 Indoor swimming pool. Walls surrounding an indoor swimming pool shall not be required to comply with Section 3109.4.1.8.

3109.4.3 Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

3109.5 Entrapment Avoidance. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

R326.1 SWIMMING POOLS AND BARRIER REQUIREMENTS. The requirements of IBC Section 3109 shall apply for design and installation of swimming pools and barriers.

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